

No. 178. An act relating to capital construction and State bonding budget adjustment.

(H.864)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 2013 Acts and Resolves No. 51, Sec. 2 is amended to read:

Sec. 2. STATE BUILDINGS

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(b) The following sums are appropriated in FY 2014:

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(15) Renovation and replacement of State-owned assets, Tropical Storm

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(F) A special committee consisting of the Joint Fiscal Committee and the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions (“Special Committee”) is hereby established. If there are any material changes to the planning or funding of the Waterbury State Office Complex, the Special Committee shall meet to review and approve these changes at the next regularly scheduled meeting of the Joint Fiscal Committee or at an emergency meeting called by the Chairs of the House Committee on Corrections and Institutions, the Senate Committee on Institutions, and the Joint Fiscal Committee. The Special Committee shall be entitled to per diem and expenses as provided in 2 V.S.A. § 406.

(G) The Commissioner of Buildings and General Services shall notify the House Committee on Corrections and Institutions and the Senate

Committee on Institutions at least monthly of updates to the planning process for the projects described in this subdivision (b)(15), including any updates on material changes to the planning or funding of the Waterbury State Office Complex.

(H) As used in this subdivision (b)(15), a “material change” means a change to the planning or funding of the Waterbury State Office Complex that:

(i) increases the total original project cost estimate by ~~10~~ five percent or more; or

(ii) constitutes a change in plan or design.

(I) The Commissioner of Buildings and General Services, with the approval of the Secretary of Administration, is authorized to approve additional contingency spending for the Waterbury State Office Complex of less than five percent of the total original project cost estimate.

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(c) The following sums are appropriated in FY 2015:

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(2) Statewide, building reuse and planning:	\$75,000.00
(3) Statewide, contingency:	\$100,000.00
(4) Statewide, major maintenance:	\$8,334,994.00 <u>\$8,369,994.00</u>
(5) Statewide, BGS engineering, <u>project management</u> , and architectural project costs:	\$2,982,132.00 <u>\$3,446,163.00</u>

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- (11) Montpelier, capitol district heat plant, 122 State Street
supplemental funds: \$2,500,000.00
- (12) Agency of Agriculture, Food and Markets and Agency of Natural Resources, laboratory, development of proposal for site location, programming, and design: \$300,000.00
- (13) Permanent secure residential facility, proposal for siting and design (as described in Sec. 40 of this act): \$50,000.00
- (14) Vergennes, Weeks School, master plan (as described in Sec. 22 of this act): \$30,000.00
- (15) State House, elevator upgrades and repair: \$180,000.00
- (16) Barre, 2 Spaulding Street and McFarland State Office Building, retaining wall (as described in subsection (h) of this section): \$75,000.00
- (17) State House, security enhancements (as described in subsection (i) of this section): \$250,000.00
- (18) State House maintenance, and enhancements, upgrades, and renovations to support the Senate, as approved by the Committee on Committees: \$100,000.00

(d) It is the intent of the General Assembly that the Commissioner of Buildings and General Services may use up to \$75,000.00 of the funds appropriated in subdivision (b)(4) of this section for the purpose of funding projects described in 2009 Acts and Resolves No. 43, Sec. 24(b), and in

Sec. 49 of this act. It is also the intent of the General Assembly that the Commissioner of Buildings and General Services may:

(1) reallocate up to \$300,000.00 of the funds appropriated in subdivision (c)(4) of this section to subdivision (c)(2) of this section;

(2) use up to \$360,000.00 of the funds appropriated in subdivisions (b)(5) and (c)(5) of this section for the purpose of funding four limited service positions in the Department of Buildings and General Services created for engineering-related work pursuant to the 2013 Acts and Resolves No. 50, Sec. E.100(b)(1) (FY 2014 Appropriations Act); and

(3) use up to \$250,000.00 of the funds appropriated in subdivision (c)(5) of this section for the purpose of supporting the Department of Buildings and General Services in implementing a project management system.

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(f) It is the intent of the General Assembly that the amount appropriated in subdivision (c)(2) of this section may be used for:

(1) a long-term capital plan, as described in Sec. 27 of this act;

(2) a budget and phased design plan for infrastructure improvements at 120 State Street in Montpelier; and

(3) fostering and developing a ten-year capital program plan as required by 32 V.S.A. § 701a.

(g) It is the intent of the General Assembly that the amount appropriated in subdivision (c)(11) of this section shall not exceed the cost of construction

in placing the capital district heat plant into service. It is also the intent of the General Assembly that any additional funds remaining after this construction has been completed shall be reallocated to the FY 2016 Capital Construction Act.

(h)(1) It is the intent of the General Assembly that the amount appropriated in subdivision (c)(16) of this section shall be used by the Commissioner of Buildings and General Services to reimburse the landowner of the property located at 2 Spaulding Street in Barre once the landowner has completed the following:

(A) demolishes and removes the entire retaining wall that is located on both the landowner's property and on the State's property;

(B) demolishes and removes the house located on the landowner's property; and

(C) excavates and grades the site located on both the landowner's property and on the State's property.

(2) Notwithstanding 32 V.S.A. § 5, the Commissioner of Buildings and General Services is authorized to use any remaining funds to compensate the landowner if the landowner conveys the property located at 2 Spaulding Street in Barre by warranty deed to the State of Vermont. It is the intent of the General Assembly that the Commissioner shall not compensate the landowner for the conveyance unless the work described in subdivision (1) of this subsection is complete.

(3) It is also the intent of the General Assembly that any reimbursement of funds for work described in subdivision (1) of this subsection or compensation provided to the landowner for the conveyance shall be transferred to the landowner on or before October 1, 2014.

(4) It is also the intent of the General Assembly that any additional funds remaining shall be reallocated to the FY 2016 Capital Construction Act.

(i)(1) It is the intent of the General Assembly that the amount appropriated in subdivision (c)(17) of this section shall be used by the Commissioner of Buildings and General Services to:

(A) install a necessary raceway system with supporting wiring for the installation of a security system for the State House;

(B) install an alert system in One Baldwin Street to notify employees when an emergency alarm has been activated in the State House and when the House and the Senate are convening; and

(C) conduct trainings, assessments, and evaluations, as needed.

(2) It is also the intent of the General Assembly that the Commissioner of Buildings and General Services shall use the amount appropriated in subdivision (c)(17) to reimburse the General Assembly for retaining consultant services for trainings, assessments, and evaluations, as described in Sec. 26 of this act.

Appropriation – FY 2014 \$52,461,132.00

Appropriation – FY 2015 \$45,742,126.00 \$49,726,157.00

Appropriation – FY 2014		\$5,200,00.00
Appropriation – FY 2015	\$6,100,000.00	<u>\$6,981,000.00</u>
Total Appropriation – Section 4	\$11,300,000.00	<u>\$12,181,000.00</u>

Sec. 3. 2013 Acts and Resolves No. 51, Sec. 5 is amended to read:

Sec. 5. JUDICIARY

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(c) The sum of \$40,000.00 is appropriated in FY 2015 to the Department of Buildings and General Services on behalf of the Judiciary for the planning and monitoring of the Caledonia courthouse wall stabilization and foundation project currently under design.

(d) The sum of \$88,000.00 is appropriated in FY 2015 to the Judiciary and directed to the Windsor County courthouse for funding ADA compliance, life safety requirements, electrical device redundancy, and teledata components and wiring.

(e) It is the intent of the General Assembly that any amounts appropriated under this section shall not alter the Judiciary’s capital construction priority list.

<u>Appropriation – FY 2014</u>		<u>\$1,000,000.00</u>
<u>Appropriation – FY 2015</u>		<u>\$2,628,000.00</u>
Total Appropriation – Section 5	\$3,500,000.00	<u>\$3,628,000.00</u>

Sec. 4. 2013 Acts and Resolves No. 51, Sec. 6 is amended to read:

Sec. 6. COMMERCE AND COMMUNITY DEVELOPMENT

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(c) The following sum is appropriated in FY 2014 to the Department of Buildings and General Services for the Battle of Cedar Creek and Winchester Memorials, ~~relocation~~ design and replication, and placement of roadside marker:

	\$25,000.00 <u>\$35,000.00</u>
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(e) The following sums are appropriated in FY 2015 to the Agency of Commerce and Community Development for the following projects:

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(3) Justin Morrill State site, Strafford, siding repair, stair modifications to allow a second means of egress, and a conditions assessment: \$28,000.00

Appropriation – FY 2014	\$440,000.00 <u>\$450,000.00</u>
Appropriation – FY 2015	\$250,000.00 <u>\$288,000.00</u>
Total Appropriation – Section 6	\$690,000.00 <u>\$728,000.00</u>

Sec. 5. 2013 Acts and Resolves No. 51, Sec. 8 is amended to read:

Sec. 8. EDUCATION

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(b) The sum of ~~\$10,411,446~~ \$10,354,690.00 is appropriated in FY 2015 to the Agency of Education for funding the ~~state~~ State share of completed school construction projects pursuant to 16 V.S.A. § 3448. ~~It is the intent of the~~

~~General Assembly that the funds appropriated in this subsection are committed funds not subject to budget adjustment.~~

Appropriation – FY 2014		\$6,704,634.00
Appropriation – FY 2015	\$10,411,446.00	<u>\$10,354,690.00</u>
Total Appropriation – Section 8	\$17,116,080.00	<u>\$17,059,324.00</u>

Sec. 6. 2013 Acts and Resolves No. 51, Sec. 11 is amended to read:

Sec. 11. NATURAL RESOURCES

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(b) The following sums are appropriated to the Agency of Natural Resources in FY 2015 for:

(1) the Water Pollution Control Fund for the following projects:

(A) Clean Water State/EPA Revolving Loan Fund

(CWSRF) match: ~~\$700,000.00~~ \$1,114,000.00

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(2) the Drinking Water Supply for the following projects:

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(C) EcoSystem restoration and protection:

~~\$2,073,732.00~~ \$2,573,732.00

(D) Waterbury waste treatment facility for phosphorous removal:

\$300,000.00

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(4)(A) the Agency of Natural Resources for the Department of Forests, Parks and Recreation for statewide small scale rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, and statewide small-scale road rehabilitation projects: \$2,000,000.00

(B) the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the purchase of easements and trail improvements on behalf of the Green Mountain Club: \$122,197.00

(5) the Department of Fish and Wildlife for the following projects:

(A) general infrastructure projects: \$1,000,000.00

(B) Lake Champlain Walleye Association, Inc. to upgrade and repair the walleye rearing, restoration, and stocking infrastructure: \$25,000.00

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Appropriation – FY 2014	\$13,772,550.00
Appropriation – FY 2015	\$7,881,732.00 <u>\$9,242,929.00</u>
Total Appropriation – Section 11	\$21,654,282.00 <u>\$23,015,479.00</u>

Sec. 7. 2013 Acts and Resolves No. 51, Sec. 12 is amended to read:

Sec. 12. MILITARY

(a) The sum of \$750,000.00 is appropriated in FY 2014 to the Department of Military for land acquisition, new construction, maintenance, ADA compliance, and renovations at state armories. To the extent feasible, these funds shall be used to match federal funds.

(b) The sum of ~~\$500,000.00~~ \$550,000.00 is appropriated in FY 2015 for the purpose described in subsection (a) of this section.

Appropriation – FY 2014 \$750,000.00

Appropriation – FY 2015 \$550,000.00

Total Appropriation – Section 12 ~~\$1,250,000.00~~ \$1,300,000.00

Sec. 8. 2013 Acts and Resolves No. 51, Sec. 13 is amended to read:

Sec. 13. PUBLIC SAFETY

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(f) The sum of \$36,000.00 is appropriated in FY 2015 to the Department of Public Safety to provide evidence storage units for the Vermont State Police to acquire accreditation through the Commission on Accreditation for Law Enforcement (CALEA) at existing barracks not yet renovated: \$36,000.00

(g) The sum of \$50,000.00 is appropriated in FY 2015 to the Department of Buildings and General Services to contract with an independent third party to develop, in consultation with all interested stakeholders, an operational governance and planning model for the operation, financial integrity, and maintenance of the Robert H. Wood Criminal Justice and Fire Service Training Council in Pittsford. As part of the development of the governance and planning model, it is the intent of the General Assembly that the Commissioner of Buildings and General Services reexamine any lease agreements entered into pursuant to authority granted by 2008 Acts and Resolves No. 200, Sec. 32(e) and 2009 Acts and Resolves No. 43, Sec. 48 conveying land and

mineral rights located at the Robert H. Wood, Jr. Criminal Justice and Fire Service Training Council. On or before January 15, 2015, the Department of Buildings and General Services shall submit this plan to the House Committee on Corrections and Institutions and the Senate Committee on Institutions:

	<u>\$50,000.00</u>
Appropriation – FY 2014	\$3,600,000.00
Appropriation – FY 2015	\$3,400,000.00 <u>\$3,486,000.00</u>
Total Appropriation – Section 13	\$7,000,000.00 <u>\$7,086,000.00</u>

Sec. 9. 2013 Acts and Resolves No. 51, Sec. 17 is amended to read:

Sec. 17. VERMONT VETERANS’ HOME

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(e) The sum of \$435,000.00 is appropriated in FY 2015 to the Department of Buildings and General Services for the Vermont Veterans’ Home to be used to match federal funds for kitchen renovations. The amount appropriated in this subsection shall be used in conjunction with the amount appropriated in 2011 Acts and Resolves No. 40, Sec. 19(b) to the Department of Buildings and General Services for the Vermont Veterans’ Home to design an upgrade of the kitchen and dietary storage areas to be code compliant and to improve the food preparation and delivery systems.

<u>Appropriation – FY 2014</u>	<u>\$1,216,000.00</u>
<u>Appropriation – FY 2015</u>	<u>\$435,000.00</u>

<u>(5) of the amount appropriated in 2006 Acts and Resolves No.147,</u>	
<u>Sec. 10 (State-owned dams, maintenance):</u>	<u>\$18,934.32</u>
<u>(6) of the amount appropriated in 2006 Acts and Resolves No. 147,</u>	
<u>Sec. 3 (Health and Public Safety Lab):</u>	<u>\$985.58</u>
<u>(7) of the amount appropriated in 2007 Acts and Resolves, No. 52,</u>	
<u>Sec. 3 (Health and Public Safety Lab):</u>	<u>\$93,006.05</u>
<u>(8) of the amount appropriated in 2008 Acts and Resolves No. 200,</u>	
<u>Sec. 3 (co-location of Health and Forensic Lab):</u>	<u>\$13,163.00</u>
<u>(9) of the amount appropriated in 2009 Acts and Resolves No. 43,</u>	
<u>Sec. 1 (State buildings, major maintenance and various projects):</u>	<u>\$24,914.89</u>
<u>(10) of the amount appropriated in 2009 Acts and Resolves No. 43,</u>	
<u>Sec. 9 (Fish hatcheries, biosecurity):</u>	<u>\$38.27</u>
<u>(11) of the amount appropriated in 2009 Acts and Resolves No. 43,</u>	
<u>Sec. 9 (Montpelier flood control):</u>	<u>\$42,273.30</u>
<u>(12) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
<u>Sec. 1 (Statewide, major maintenance):</u>	<u>\$11,656.44</u>
<u>(13) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
<u>Sec. 1 (Waterbury, State office complex, fire alarm panels and door holders):</u>	
	<u>\$38,590.72</u>
<u>(14) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
<u>Sec. 1 (Bennington State Office Building, geothermal energy project):</u>	
	<u>\$96,277.59</u>

<u>(15) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
<u>Sec. 8 (Austine School, Holton Hall, renovations):</u>	<u>\$11,962.03</u>
<u>(16) of the amount appropriated in 2009 Acts and Resolves No. 43,</u>	
<u>Sec. 9 (Ecosystem restoration and protection):</u>	<u>\$7,000.00</u>
<u>(17) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
<u>Sec. 12 (Lamprey Control Project):</u>	<u>\$0.40</u>
<u>(18) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
<u>Sec. 12 (Montpelier flood control):</u>	<u>\$175,201.00</u>
<u>(19) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
<u>Sec. 12 (Water pollution control projects):</u>	<u>\$0.01</u>
<u>(20) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
<u>Sec. 14 (Waterbury, Public Safety headquarters, repairs):</u>	<u>\$11,757.61</u>
<u>(21) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
<u>Sec. 26 (Springfield, municipal water system):</u>	<u>\$200,000.00</u>
<u>(22) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
<u>Sec. 20 (Center for Crime Victim Services):</u>	<u>\$344.31</u>
<u>(23) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
<u>Sec. 2 (Statewide buildings, reuse and planning):</u>	<u>\$32,497.59</u>
<u>(24) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
<u>Sec. 2 (Statewide buildings, statewide contingency):</u>	<u>\$1,473.51</u>
<u>(25) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
<u>Sec. 2 (Statewide buildings, major maintenance):</u>	<u>\$53,676.67</u>

<u>(26) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
<u>Sec. 2 (State buildings, 120 State Street, restroom renovations):</u>	<u>\$1,960.39</u>
<u>(27) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
<u>Sec. 2 (State buildings, St. Albans, Northwest Correctional Facility,</u>	
<u>maintenance shop):</u>	<u>\$5,360.00</u>
<u>(28) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
<u>Sec. 2 (State buildings, statewide, engineering and architectural costs):</u>	
	<u>\$95,639.98</u>
<u>(29) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
<u>Sec. 12 (ecosystem restoration and protection):</u>	<u>\$12,468.06</u>
<u>(30) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
<u>Sec. 12 (Department of Forest, Parks, and Recreation, projects):</u>	<u>\$64.47</u>
<u>(31) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
<u>Sec. 20 (Center for Crime Victim Services):</u>	<u>\$4,270.00</u>
<u>(32) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
<u>Sec. 2 (State House committee rooms):</u>	<u>\$7,337.97</u>
<u>(33) of the amount appropriated in 2012 Acts and Resolves No. 104,</u>	
<u>Sec. 7 (Regional economic development grants):</u>	<u>\$2,000.00</u>
<u>(34) of the amount appropriated in 2012 Acts and Resolves No. 104,</u>	
<u>Sec. 9 (Review of Vermont State Police facilities):</u>	<u>30,602.86</u>
<u>Total Reallocations and Transfers – Section 19</u>	<u>\$5,728,049.74</u> <u>\$6,781,529.67</u>

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* * * Buildings and General Services * * *

Sec. 14. 2012 Acts and Resolves No. 104, Sec. 1(a) is amended to read:

(a) Damage to ~~state-owned~~ State-owned assets and infrastructure caused by Tropical Storm Irene on August 28, ~~2012~~ 2011 made necessary some of the reallocations and appropriations contained in this act.

Sec. 15. ART IN STATE BUILDINGS PROGRAM; REVIEW OF

GUIDELINES AND PROCEDURES

(a) The Commissioner of Buildings and General Services and the Vermont Council on the Arts, Inc. shall evaluate the effectiveness of the current guidelines and procedures for the Art in State Buildings Program, including the use of program terms and whether modified or new guidelines or procedures are required.

(b) On or before January 15, 2015, the Commissioner of Buildings and General Services and the Vermont Council on the Arts, Inc. shall report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions with the results of the evaluation described in subsection (a) of this section.

Sec. 16. 2012 Acts and Resolves No. 104, Sec. 2(f) is amended to read:

(f)(1) Option B of the of the Freeman, French, Freeman report published on March 9, 2012 aligns closely with the ~~general assembly's~~ General Assembly's vision for the Waterbury Complex. However, the ~~general assembly~~ General

Assembly believes that Option B could be modified to achieve a cost savings to Vermonters. On or before June 1, 2012, the ~~department of buildings and general services~~ Department of Buildings and General Services shall present a modified design proposal, including proposals under subdivision (4) of this subsection (f) to the ~~house committee on corrections and institutions~~ House Committee on Corrections and Institutions, the ~~senate committee on institutions~~ Senate Committee on Institutions, and the ~~special committee~~ Special Committee described in this subsection.

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(4) The ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services is authorized to take certain actions before formal approval of the design. Therefore, notwithstanding 29 V.S.A. § 152(a)(6), 165, or 166 or any other provision of law, in addition to producing a design, permitting, and applying for federal aid, upon passage of this act, the ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services may:

(A) lease, sell, lease purchase, subdivide, redevelop for State use, or donate the following buildings within the Waterbury Complex in their current condition: Stanley and Wasson, 121 South Main Street, 123 South Main Street, 5 Park Row, 43 Randall Street, and their improvements.

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Sec. 17. 2011 Acts and Resolves No. 40, Sec. 26(c) is amended to read:

(c) ~~The commissioner of buildings and general services is authorized to sell the Vermont health laboratory at 195 Colchester Avenue in Burlington pursuant to 29 V.S.A. § 166.~~ The Commissioner of Buildings and General Services is authorized to do any or all of the following with respect to the Vermont health laboratory located at 195 Colchester Avenue in Burlington:

(1) investigate all potential uses of the land and building, including redeveloping the land, provided that it is consistent with existing deed covenants; and

(2) enter into agreements and execute any necessary documentation to release or extinguish any of the existing deed covenants.

Sec. 18. REPEAL; USE AND DEVELOPMENT OF STATE FACILITIES
AND LAND; SPRINGFIELD CORRECTIONAL FACILITY

2010 Acts and Resolves No. 161, Sec. 26(c)(2)(improvements and upgrades to the municipal water system at the Springfield Correctional Facility) is repealed.

Sec. 19. 2013 Acts and Resolves No. 51, Sec. 25 is amended to read:

Sec. 25. BATTLE OF CEDAR CREEK AND WINCHESTER
MEMORIALS

(a) The Commissioner of Buildings and General Services is authorized to use the appropriation in Sec. 6(c)(1) of this act for capital expenses associated with the placement of a Vermont historical roadside marker at the Cedar Creek

Battlefield in Virginia, ~~and the relocation~~ design and replication of the Battle of Winchester Memorial ~~to~~ at its original location on the Third Winchester Battlefield in Virginia, ~~and~~. The Department of Buildings and General Services, or its agent, shall supervise the installation of the roadside marker and the Memorial.

(b) The Commissioner of Buildings and General Services is further authorized to use the appropriation in Sec. 6(c)(1) of this act for capital expenses associated with the completion of the projects described in subsection (a) of this section for reimbursement to the Civil War Trust, the State of Virginia, and the United States Veterans Administration for any capital expenses associated with the completion of these projects, the Cedar Creek Battlefield Foundation, and any other entity engaged by the Department of Buildings and General Services to assist with the roadside marker or the Memorial.

(c) As used in this section, Capital capital expenses associated with the placement of the roadside marker or the ~~relocation~~ replication of the Memorial may include site acquisition, planning, design, transportation of the Memorial, and any other reasonably related costs.

Sec. 20. SALISBURY CHURCH

The General Assembly finds that the former parsonage and land located at 1941 West Shore Road in the Town of Salisbury, and described in the warranty deed dated December 8, 1980 between Alan S. Farwell and the Salisbury

Congregational United Church of Christ, has little or no value to the State of Vermont, and would require additional operational funds to maintain or sell. Therefore, notwithstanding 32 V.S.A. § 5, the General Assembly:

(1) disclaims any existing or future interest in the former parsonage and land located at 1941 West Shore Road in the Town of Salisbury; and

(2) authorizes the Commissioner of Buildings and General Services to execute a quitclaim deed to transfer any existing or future interest in the former parsonage and land located at 1941 West Shore Road in the Town of Salisbury to the Salisbury Congregational United Church of Christ.

Sec. 21. 2009 Acts and Resolves No. 43, Sec. 25 is amended to read:

Sec. 25. PROPERTY TRANSACTIONS; MISCELLANEOUS

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~~(e) Pursuant to 29 V.S.A. § 166(b), the commissioner of buildings and general services is authorized to subdivide land at the former Weeks school in Vergennes in order to sell the Arsenal and Fairbanks buildings. The commissioner may use proceeds from the sale to enhance the value of the remaining former Weeks school property. [Repealed.]~~

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Sec. 22. WEEKS SCHOOL; VERGENNES; MASTER PLAN

(a) The Commissioner of Buildings and General Services shall contract with an independent third party to develop a master plan for the former Weeks School property located in the City of Vergennes and the Town of Ferrisburgh.

In developing the master plan, the independent third party shall consult with the City of Vergennes, the Town of Ferrisburgh, local and regional organizations, and affected State agencies and landowners. The master plan shall include an evaluation of whether the property may be subdivided and sold, and for what purposes it may be used.

(b) On or before January 15, 2015, the Commissioner of Buildings and General Services shall provide an update on the plan described in subsection (a) of this section to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

Sec. 23. 29 V.S.A. § 157 is amended to read:

§ 157. FACILITIES CONDITION ANALYSIS

(a) The Commissioner of Buildings and General Services shall:

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(2) conduct a facilities condition analysis each year of ~~20~~ ten percent of the building area and infrastructure under the Commissioner's jurisdiction so that within ~~five~~ ten years all property is assessed. At the end of the ~~five~~ ten years, the process shall begin again. The analysis conducted pursuant to this subsection shall include the thermal envelope of buildings and a report on the annual energy consumption and energy costs and recommendations for reducing energy consumption.

(b) The Commissioner may use up to two percent of the funds appropriated to the Department of Buildings and General Services for major maintenance and planning for the purpose described in subsection (a) of this section.

Sec. 24. FACILITIES CONDITIONS ANALYSIS; USE OF FY 2015

FUNDS

The Commissioner of Buildings and General Services may use the funds appropriated to the Department of Buildings and General Services for major maintenance and planning and allocated to conducting a facilities conditions analysis under 29 V.S.A. § 157(b) for Sec. 27(a)(2) of this act.

Sec. 25. DEDICATION OF SENATOR SALLY FOX CONFERENCE

AREA IN THE WATERBURY STATE OFFICE COMPLEX

(a) Purposes. It is the intent of the General Assembly to honor the work of the late Senator Sally Fox, who served in the Vermont House of Representatives from 1986 to 2000 and in the Vermont Senate from 2010 to 2014. She spent her entire career working on human services policy issues and was widely recognized as one of Vermont's leading advocates for the clients of the Agency of Human Services.

(b) Dedication. In acknowledgement of Senator Fox's years of public service to the State of Vermont and the countless hours she dedicated to working on human services policy in the former Waterbury State Office Complex, the Commissioner of Buildings and General Services and the Secretary of Human Services shall name one of the main conference areas or

conference rooms at the new office space of the Agency of Human Services in the Waterbury State Office Complex in the name of Senator Fox.

* * * Security * * *

Sec. 26. CAPITOL COMPLEX SECURITY; WORKING GROUP;

REVIEW

(a) Creation. There is created a working group for the purpose of assessing security in the Capitol Complex. The Working Group may authorize or retain consultant services to conduct a review and prepare a report on security in the Capitol Complex, including reviewing current security arrangements and governance options, and identifying possible security enhancements. Any consultants retained pursuant to this subsection shall work through the Joint Fiscal Office under the direction of the Chair of the Working Group.

(b) Membership.

(1) The Working Group shall be composed of the following members:

(A) the Lieutenant Governor;

(B) the Commissioner of Buildings and General Services or designee;

(C) a representative of the Capitol Police;

(D) the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions;

(E) the Sergeant at Arms; and

(F) the Court Administrator or designee.

(2) The Lieutenant Governor shall be the Chair of the Working Group and shall convene meetings.

(3) The Working Group shall have the assistance of the staff of the Office of Legislative Council and the Joint Fiscal Office.

(4) The Joint Fiscal Office, in consultation with the Speaker of the House and the Committee on Committees, shall hire one or more consultants to undertake the security review authorized by this section.

(c) Funding. The working group is authorized to use funds appropriated in Sec. 1(c)(17) of this act to retain consultant services pursuant to subsection (a) of this section. It is the intent of the General Assembly that any remaining funds shall be reallocated to the FY 2016 Capital Construction Act for the purpose of implementing the recommendations contained in the security report. Any remaining funds shall only be appropriated to implement a recommendation with authorization of the General Assembly.

* * * Capital Planning and Finance * * *

Sec. 27. LONG-TERM CAPITAL PLAN

(a) The Commissioner of Buildings and General Services is authorized to use funds appropriated in 2013 Acts and Resolves No. 51, Sec. 2(c)(2) to develop a long-term capital plan for space utilization in the Capitol Complex and in State-owned and leased buildings in surrounding areas. The plan shall include:

(1) an evaluation of the full and efficient occupancy of State-owned and leased buildings;

(2) a facilities conditions analysis of up to ten percent of the total building square footage within the Capitol Complex, as may be required; and

(3) an evaluation of the space needs of the State Auditor.

(b) The Commissioner of Buildings and General Services shall present the results of the long-term capital plan described in subsection (a) of this section as part of the ten-year capital plan required by 32 V.S.A. § 701a.

Sec. 28. 32 V.S.A. § 701a(d) is amended to read:

(d) On or before ~~October~~ January 15, each entity to which spending authority has been authorized by a capital construction act enacted in a legislative session that was two or more years prior to the current legislative session shall submit to the ~~Department of Buildings and General Services~~ House Committee on Corrections and Institutions and the Senate Committee on Institutions a report on the ~~status~~ current fund balances of each authorized project with unexpended funds. ~~The report shall follow the form provided by the Department of Buildings and General Services and shall include details regarding how much of the appropriation has been spent, how much of the appropriation is unencumbered, actual progress in meeting the goals of the project, and any impediments to completing the project on time and on budget. The Department may request additional or clarifying information regarding each project. On or before January 15, the Department shall present the~~

~~information collected to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.~~

Sec. 29. CAPITAL PLANNING CAPABILITIES

(a) The Commissioner of Buildings and General Services and the Commissioner of Finance and Management, in consultation with the Joint Fiscal Office, shall evaluate options for the State's capital planning capabilities in order to improve transparency and accountability for authorized capital construction projects and opportunities to develop a long-term statewide capital planning application in accordance with 32 V.S.A. § 701a.

(b) On or before January 15, 2015, the Commissioner of Buildings and General Services shall present the results of the evaluation described in subsection (a) of this section to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

Sec. 30. FIT-UP COSTS; DEFINITION AND PROCEDURES

On or before July 15, 2014, the Commissioner of Buildings and General Services shall develop and implement procedures for defining and allocating responsibility for fit-up costs in future construction of State-owned buildings and leased space.

* * * Administration * * *

Sec. 31. 3 V.S.A. § 2293(b) is amended to read:

(b) Development Cabinet. A Development Cabinet is created, to consist of the Secretaries of the Agencies of Administration, ~~of Natural Resources, of~~

~~Commerce and Community Affairs, of Transportation, and of Agriculture, Food and Markets, of Commerce and Community Development, of Education, of Natural Resources, and of Transportation.~~ The Governor or the Governor's designee shall chair the Development Cabinet. The Development Cabinet shall advise the Governor on how best to implement the purposes of this section, and shall recommend changes as appropriate to improve implementation of those purposes. The Development Cabinet may establish interagency work groups to support its mission, drawing membership from any agency or department of State government. Any interagency work groups established under this subsection shall evaluate, test the feasibility of, and suggest alternatives to economic development proposals, including proposals for public-private partnerships, submitted to them for consideration. The Development Cabinet shall refer to appropriate interagency workgroups any economic development proposal that has a significant impact on the inventory or use of State land or buildings.

* * * Agency of Agriculture, Food and Markets * * *

Sec. 32. 24 V.S.A. § 5608 is added to read:

§ 5608. AGRICULTURAL FAIRS AND FIELD DAYS CAPITAL

PROJECTS COMPETITIVE GRANTS PROGRAM

(a) Grant guidelines. The following guidelines shall apply to capital grants made for Vermont agricultural fairs and field days projects pursuant to this section:

(1) Grants shall be competitively awarded to capital projects that relate to Vermont agricultural fairs and field days operating a minimum of three consecutive, eight-hour days per year.

(2) A project for which a grant is awarded shall have a minimum useful life of 20 years and shall be completed within two years of the execution of a contract to perform work authorized by the grant.

(3) A grant recipient shall contribute matching funds or in-kind services in an amount equal to 15 percent or more of the value of the grant.

(b) There is established an Agricultural Fairs and Field Days Capital Program Advisory Committee to administer and coordinate grants made pursuant to this section. The Committee shall include:

(1) two members appointed by the Secretary of Agriculture, Food and Markets;

(2) one member appointed by the Commissioner of Forests, Parks and Recreation;

(3) two members appointed by the Vermont Fair and Field Days Association;

(4) one member appointed by the Vermont Department of Tourism and Marketing;

(5) one member of the Vermont Senate appointed by the Committee on Committees; and

(6) one member of the Vermont House of Representatives appointed by the Speaker of the House.

(c) Administration.

(1) The Advisory Committee created in subsection (b) of this section shall have the authority to award grants in its sole discretion; provided, however, that the Committee may consider whether to award partial awards to all applicants that meet Program criteria established by the Committee.

(2) The Agency of Agriculture, Food and Markets shall provide administrative and technical support to the Committee for purposes of administering grants awarded under this section.

* * * Agency of Agriculture, Food and Markets and

Agency of Natural Resources * * *

Sec. 33. LABORATORY; PROPOSAL

(a) On or before August 15, 2014, the Department of Buildings and General Services, the Agency of Agriculture, Food and Markets, and the Agency of Natural Resources shall submit a site location proposal for a shared laboratory to the House Committee on Corrections and Institutions and the Senate Committee on Institutions. It is the intent of the General Assembly that when evaluating site locations, preference shall be given to State-owned property.

(b) With approval of the Speaker of the House and the President Pro Tempore, as appropriate, the House Committee on Corrections and Institutions

and the Senate Committee on Institutions may meet up to one time when the General Assembly is not in session to evaluate the proposal described in subsection (a) of this section and make a recommendation on the site location to the Joint Fiscal Committee. The Committees shall notify the Commissioner of Buildings and General Services, the Secretary of Agriculture, Food and Markets, and the Secretary of Natural Resources prior to holding a meeting pursuant to this subsection. Committee members shall be entitled to receive a per diem and expenses as provided in 2 V.S.A. § 406.

(c) The Joint Fiscal Committee shall review the recommendation of the Committees described in subsection (b) of this section at its September 2014 meeting. If the Joint Fiscal Committee so determines, it shall approve the proposal as recommended by the Committees.

(d) On or before December 1, 2014, the Department of Buildings and General Services, in consultation with the Agency of Agriculture, Food and Markets and the Agency of Natural Resources, shall develop a detailed proposal on the site location recommended by the Committees if approved by the Joint Fiscal Committee. The proposal shall include programming, size, design, and preliminary cost estimates for a shared laboratory. The proposal shall also include an evaluation of the current Agency of Agriculture, Food and Markets and the Agency of Natural Resources programs located in the leased space at 322 Industrial Lane in Berlin. The Department of Buildings and General Services is authorized to use funds appropriated in 2013 Acts and

Resolves No. 51, Sec. 2, as amended by Sec. 1 of this act, for any costs associated with the proposal.

(e) The Commissioner of Buildings and General Services shall notify the House Committee on Corrections and Institutions and the Senate Committee on Institutions at least monthly of updates on the proposals described in subsections (a) and (d) of this section.

* * * Education * * *

Sec. 34. ENHANCED 911 PROGRAM; IMPLEMENTATION IN
SCHOOL DISTRICTS

(a) The Enhanced 911 Board, in consultation with the Agency of Education, shall conduct a Statewide assessment in each school district to determine the needs for compliance with the Enhanced 911 Program.

(b) On or before January 15, 2015, the Enhanced 911 Board shall report the results of the assessment described in subsection (a) of this section to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

* * * Human Services * * *

Sec. 35. 2013 Acts and Resolves No. 51, Sec. 40 is amended to read:

Sec. 40. SECURE RESIDENTIAL FACILITY

Pursuant to the Level 1 Psychiatric Care Evaluation required by the ~~Fiscal~~
~~Year~~ fiscal year 2014 Appropriations Act, Sec. E.314.2, the Commissioner of Buildings and General Services, in consultation with the Commissioners of

Mental Health and Corrections, shall develop a proposal to establish a permanent secure residential facility no later than January 15, 2015.

Sec. 36. VERMONT PSYCHIATRIC CARE HOSPITAL; CERTIFICATE OF NEED; FEDERAL MATCH

The Commissioner of Buildings and General Services is authorized to transfer the sum of \$447,928.05 from the amount authorized in 2013 Acts and Resolves No. 51, Sec. 2(b)(15)(A) to the Agency of Human Services if State funding is required to match federal funds for eligible project costs required under the Certificate of Need for the Vermont Psychiatric Care Hospital.

* * * Judiciary * * *

Sec. 37. COUNTY COURTHOUSES; PLAN

(a) Pursuant to the restructuring of the Judiciary in 2009 Acts and Resolves No. 154, the Court Administrator and the Commissioner of Buildings and General Services shall evaluate the scope of the State's responsibility for maintaining county courthouses, including Americans with Disabilities Act (ADA) compliance and whether an emergency fund is necessary for construction or renovation projects at county courthouses.

(b) On or before January 15, 2015, the Judiciary shall report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions with the results of the evaluation.

* * * Public Safety * * *

Sec. 38. 2013 Acts and Resolves No. 51, Sec. 48 is amended to read:

Sec. 48. PUBLIC SAFETY FIELD STATION PROJECT

The Department of Buildings and General Services, in consultation with the Department of Public Safety, is authorized to use appropriations in Sec. 13 of this act to conduct feasibility studies, and identify and purchase land for future public safety field station sites. If the Department of Buildings and General Services proposes to purchase property when the General Assembly is not in session, the Commissioner of Buildings and General Services shall notify the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions of the proposal. In the event that land is identified for Troop B of the Vermont State Police, then the Department of Public Safety shall hold public meetings in the affected communities for public input on the proposal. The Department of Public Safety shall notify the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the results of the meeting when the General Assembly is in session, and the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions when the General Assembly is not in session. The General Assembly encourages the affected communities to contact the Department of Public Safety to review any proposals as they develop.

Sec. 39. VERMONT STATE POLICE; SALE OF WEST BRATTLEBORO
AND ROCKINGHAM BARRACKS

The Commissioner of Buildings and General Services is authorized to sell the West Brattleboro Troop Headquarters in the Town of West Brattleboro and the Rockingham Troop Headquarters in the Town of Rockingham. The net proceeds of any sale shall be reallocated to the Department of Public Safety for the purposes described in 2013 Acts and Resolves No. 51, Sec. 13(d).

* * * Energy Use on State Properties * * *

Sec. 40. ENERGY EFFICIENCY; STATE LEASES

The Commissioner of Buildings and General Services shall develop a set of criteria and guidelines to evaluate and, where appropriate, incorporate the use of energy efficiency measures, thermal energy conservation measures, and renewable energy resources in buildings and facilities leased by the State.

Sec. 41. 29 V.S.A. § 168 is amended to read:

§ 168. STATE ~~RESOURCE~~ ENERGY MANAGEMENT PROGRAM;
REVOLVING FUNDS

(a) ~~Resource State Energy management program~~ Management Program.

The

(1) There is established within the Department ~~shall be responsible of~~ Buildings and General Services an Energy Management Program for administering the interest of the State in all ~~resource conservation~~ energy management measures in State buildings and facilities, including equipment

replacement, studies, weatherization, ~~and~~ construction of improvements affecting the use of energy resources, the implementation of energy efficiency and conservation measures, and the use of renewable resources.

(2) The Energy Management Program shall be implemented through two revolving funds used to finance energy management measures in State buildings and facilities. Pursuant to subsections (b) and (c) of this section, the State Resource Management Revolving Fund shall provide revenue for implementation of resource conservation measures, and the Energy Revolving Fund shall provide funding for energy efficiency improvements and the use of renewable resources. The Commissioner of Buildings and General Services shall establish guidelines for the provision of funding for energy management measures through these revolving funds.

(3) All ~~resource conservation~~ energy management measures taken for the benefit of departments or agencies to which this section applies pursuant to this section shall, beginning on July 1, 2004, be made and executed by and in the name of the Commissioner.

(b) State Resource Management Revolving Fund.

(1) There is established a Resource Management Revolving Fund to provide revenue for implementation of resource conservation measures anticipated to generate a life cycle cost benefit to the State. All State agencies responsible for development and operations and maintenance of State

infrastructure shall have access to the Resource Management Revolving Fund on a priority basis established by the Commissioner.

(2) The Fund shall consist of:

(A) ~~Monies~~ monies appropriated to the Fund, or which are paid to it under authorization of the Emergency Board;

(B) ~~Monies~~ monies saved by the implementation of resource management conservation measures; and

(C) ~~Fees~~ fees for administrative costs paid by departments and agencies, which shall be fixed by the Commissioner subject to the approval of the Secretary of Administration.

(D) ~~[Deleted.]~~ [Repealed.]

(3) Monies from the Fund shall be expended by the Commissioner for resource conservation measures anticipated to generate a life cycle cost benefit to the State and all necessary costs involved with the administration of State agency energy planning as determined by the Commissioner.

(4) The Commissioner shall establish criteria to determine eligibility for funding of resource conservation measures.

(5) Agencies or departments receiving funding shall repay the Fund through their regular operating budgets according to a schedule established by the Commissioner. Repayment shall include charges of fees for administrative costs over the term of the repayment.

(6) The Commissioner of Finance and Management may anticipate receipts to this Fund and issue warrants based thereon.

(7) The Commissioner of ~~Buildings and General Services~~ shall maintain accurate and complete records of all receipts by and expenditures from the Fund.

(8) All balances remaining at the end of a fiscal year shall be carried over to the following year.

(c) Energy Revolving Fund.

(1) There is established an Energy Revolving Fund to finance energy efficiency improvements and the use of renewable resources in State buildings and facilities anticipated to generate a cost-savings to the State. State agencies and departments shall have access to the Energy Revolving Fund on a priority basis established by the Commissioner and the State Treasurer.

(2) The Fund shall consist of:

(A) monies appropriated to the Fund or which are paid to it under authorization of the Emergency Board;

(B) monies saved by the implementation of energy efficiency improvements and the use of renewable resources;

(C) any funds available through a credit facility maintained by the State Treasurer in accordance with subsection (d) of this section; and

(D) fees for administrative costs paid by departments and agencies, which shall be fixed by the Commissioner subject to the approval of the Secretary of Administration.

(3) Monies from the Fund shall be expended by the Commissioner for measures anticipated to generate a cost-savings to the State and costs involved with the administration of the State agency energy plan as determined by the Commissioner.

(4) The Commissioner and the State Treasurer shall establish criteria to determine eligibility for funding of energy efficiency improvements and the use of renewable resources, including returns of investment on terms acceptable to the State Treasurer.

(5) Agencies and departments receiving funding shall repay the Fund through their regular operating budget according to a schedule established by the Commissioner. Repayment shall include charges of fees for administrative costs over the term of the repayment.

(6) The Commissioner of Finance and Management may anticipate receipts to this Fund and issue warrants based thereon.

(7) The Commissioner of Buildings and General Services shall maintain accurate and complete records of all receipts by and expenditures from the Fund.

(8) All balances remaining at the end of a fiscal year shall be carried over to the following year; provided, however, that any amounts received in

repayment of the credit facility established under subsection (d) of this section may be reinvested by the State Treasurer.

(d) Notwithstanding any other provision of law to the contrary, the State Treasurer, working in collaboration with the Department of Buildings and General Services, shall have the authority to establish a credit facility of up to \$8,000,000.00, on terms acceptable to the State Treasurer. The credit facility shall be used for the purpose of financing energy efficiency improvements and the use of renewable resources anticipated to generate a cost-savings to the State.

(e) As used in this section:

(1) “Energy efficiency improvement” shall mean a set of measures aimed at reducing the energy used by specific end-use devices and systems to provide light, heat, cooling, or other services without affecting the level of service provided. An energy efficiency project may also include energy conservation measures; that is, a reduction in energy consumption that corresponds with a reduction in service demand.

(2) “Renewables” shall have the same meaning as under 30 V.S.A. § 8002.

(3) “Resource conservation measures” shall mean a set of measures, including a study, product, process, or technology, aimed at reducing overall use or consumption of energy resources in State buildings or facilities.

“Resource conservation measures” shall include energy efficiency improvements.

(f) Beginning on or before January 15, 2015 and annually thereafter, the Department of Buildings and General Service shall report to the Senate Committee on Institutions and the House Committee on Corrections and Institutions on the expenditure of funds from the State Resource Management Revolving Fund for resource conservation measures and the Energy Revolving Fund for energy efficiency improvements and the use of renewable resources. For each fiscal year, the report shall include a summary of each project receiving funding and the State’s expected savings.

* * * Effective Date * * *

Sec. 42. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: June 9, 2014